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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**NOTICE OF HEARING RE JOINT  
MOTION TO AMEND COURT'S  
ORDER GRANTING MOTION TO  
ALLOW PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE AMESBURY HATTERS PONT  
LOAN AS TO PROOF OF CLAIM  
NO. 10725-00474 BY FRANK  
DAVENPORT**

Date of Hearing: April 19, 2012

Time of Hearing: 10:00 a.m.

Estimated Time for Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST FILED A MOTION TO AMEND  
COURT'S ORDER GRANTING MOTION TO ALLOW PROOFS OF CLAIM  
BASED UPON INVESTMENT IN THE AMESBURY HATTERS POINT LOAN AS  
TO FRANK DAVENPORT'S PROOF OF CLAIM TO REVISE THE AMOUNT OF  
FRANK DAVENPORT'S ALLOWED CLAIM.**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS  
REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN  
HINDERAKER (520-629-4430).**

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
through its counsel, has filed its Motion to Amend Court's Orders Granting Motion to



1 Allow Proofs of Claim Based Upon Investment in the Amesbury Hatters Point Loan as to  
 2 Frank Davenport's Proof of Claim (the "Motion") to increase the allowed amount of  
 3 Frank Davenport's Proof of Claim No. 10725-00474 from \$742.26 to \$25,000.

4 **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held  
 5 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
 6 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
 7 **April 19, 2012, at the hour of 10:00 a.m.**

8 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON APRIL 19,**  
 9 **2012, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
 10 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
 11 **HEARD ON THAT DATE.**

12 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
 13 response to the Motion must be filed and service must be completed no later than **fourteen**  
 14 **(14) days** preceding the hearing date. The opposition must set forth all relevant facts and  
 15 any relevant legal authority.

16 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading  
 17 with the Court. You *must* also serve your written response on the person who sent you this notice.

18 If you do not file a written response with the Court, or if you do not serve your written  
 19 response on the person who sent you this notice, then:

- 20 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 21 • The Court may *rule against you* and grant the Motion without formally calling the  
 22 matter at the hearing.

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LEWIS  
AND  
ROCA  
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LAWYERS

1 Dated: March 13, 2012.

2 LEWIS AND ROCA LLP

3  
4 By /s/ John Hinderaker (#18024)  
5 Robert M. Charles Jr. NV 6593  
6 John C. Hinderaker, AZ 18024 (*pro hac vice*)  
7 3993 Howard Hughes Parkway, Suite 600  
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*Attorneys for the USACM Liquidating Trust*

10 Copy of the foregoing mailed by first class  
11 Postage prepaid U.S. Mail on  
12 March 13, 2012 to:

13 Frank Davenport  
14 3372 Narod St.,  
15 Las Vegas, NV 89121-4218

16 LEWIS AND ROCA LLP

17 /s/ Marie Mancino  
18 Marie Mancino  
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